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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,421	12/12/2001	Amarjit Tathgur	SHW100002000	5717
22891	7590	03/14/2005	EXAMINER	
DELIO & PETERSON 121 WHITNEY AVENUE NEW HAVEN, CT 06510			LEUNG, PHILIP H	
			ART UNIT	PAPER NUMBER
			3742	

DATE MAILED: 03/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/015,421	TATHGUR ET AL.	
	Examiner	Art Unit	
	Philip H Leung	3742	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) 8-13 and 16-18 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 14 and 15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|-----------------------------------------------------------------------------------------|-----------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Tsuchida (JP 4-7124) (newly cited).

Tsuchida shows a method for heating a substrate (pipe 2) and a coating (12, 13) adhered on said substrate comprising directly applying on the coating a susceptor element (8); wherein said susceptor and substrate are inductively heatable, and inductively energizing the susceptor element and substrate to cause said substrate and coating to be heated (see Figures 1-6 and the English abstract).

3. Claims 1, 2 and 7 are rejected under 35 U.S.C. 102(b) as being anticipated by Casper (US 3,722,212) (newly cited).

Casper shows a method for heating a substrate (tubular container 10) and a coating (13) adhered on said substrate comprising directly applying on the coating a susceptor element (12), wherein said susceptor and substrate are inductively heatable, and inductively energizing the susceptor element and substrate to cause said substrate and coating to be heated (see Figures 1 and 2 and col. 2, line 34 – col. 7, line 7). In regard to claim 2, the paper lamina 11 is the claimed insulation material.

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4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-5, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Casper (US 3,723,212), in view of Buckley et al (US 5,919,387) (previously cited).

Casper shows every feature as claimed except for exact structure of the susceptor.

Buckley shows that it is well known in the art of induction heating pipes to use a susceptor (50) to induce heating by the induction heater (see Figures 2-6 and col. 3, line 62 - col. 6, line 3).

Buckley shows that the susceptor 50 is perforate in Figure 2 and is coupled with an insulated coating (see col. 4, lines 1-5). Casper states that a plurality of paper lamina 11 may be used and that the foil susceptor 12 may not be the most interior layer, i.e. an insulation lamina 11 may be placed between the susceptor foil 12 and the coating 13 (col. 2, line 66 – col. 7, line 2). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Casper to use any well known susceptors including perforated or insulated susceptors to allow more efficient heating and better bonding effect, in view of the teaching of Buckley.

6. Claims 7, 14 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Casper (US 3,723,212) or Tsuchida (JP 4-7124), in view of Shiozaki (US 5,504,308) (previously cited).

Casper or Tsuchida discloses the claimed method having every feature as claimed except for exact structure of the susceptor. Shiozaki shows that it is well known in the art of

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inductively heating thermoplastic resin pipes to include susceptors which are induction heat generating layers (2, 22, 23, 24) to provide additional heat in response to the induction heaters E, for heating the desired areas of the pipe (see Figures 1-4 and col. 3, line 32 - col. 4, line 20). Shiozaki shows the use of both open circuit susceptors (Figures 2 and 3) and closed circuit susceptors (Figure 1). It would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Casper or Tsuchida to use any well known susceptors including open circuit or closed circuit susceptors to match the work characteristics for more efficient heating and better bonding effect, in view of the teaching of Shiozaki. In regard to claims 14 and 15, the use of polypropylene coatings on plastic pipes is well known (see paragraph [002] of the specification).

7. The withdrawn claims 8-13 and 16-18 non-elected without traverse should be cancelled as a divisional application (Ser. No. 10/916,904) with similar claims has been filed.

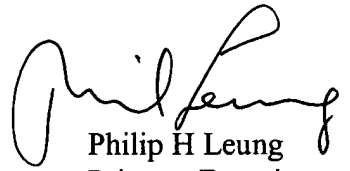
8. Applicant's arguments with respect to claim 1 have been considered but are moot in view of the new ground(s) of rejection. Luft et al (US 4,334,354) is further cited to show a method of induction heating a coated substrate with a susceptor.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip H Leung whose telephone number is (571) 272-4782. The examiner can normally be reached on flexible.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robin Evans can be reached on (571) 272-4777. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Philip H Leung
Primary Examiner
Art Unit 3742

P.Leung/pl
3/1/2005